


**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

TONYA DEFATTA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. CIV-23-15-SLP
	)	
THE STATE OF OKLAHOMA, ex rel.	)	
COMMISSIONERS OF THE LAND OFFICE,	)	
et al.,	)	
	)	
Defendants.	)	

**ORDER**

Before the Court is the Motion to Dismiss [Doc. No. 8]. Subsequent to the filing of the Motion, Plaintiff filed an Amended Complaint [Doc. No. 9]. “The [A]mended [C]omplaint, as the operative complaint, supersedes the original complaint’s allegations[.]” *May v. Segovia*, 929 F.3d 1223, 1229 (10th Cir. 2019). Thus, those allegations are of “no legal effect.” *Davis v. TXO Prod. Corp.*, 929 F.2d 1515, 1517 (10th Cir. 1991). Accordingly, the Motion to Dismiss [Doc. No. 8] is DENIED AS MOOT.

IT IS SO ORDERED this 2<sup>nd</sup> day of February, 2023.

  
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SCOTT L. PALK  
UNITED STATES DISTRICT JUDGE